

Serial No.: 10/666,451
Examiner: David Isabella
Art Unit: 3738

STATEMENT OF THE CLAIMS

1. – 13. (canceled)

14. (previously presented) A stapedial prosthesis sized to be implanted as a replacement for the stapes between the incus and the oval window of the middle ear, comprising:

- a) a body defining a bucket and a shaft, said bucket sized to at least partially receive a portion of an incus and having a wall with a plurality of slots defining wall segments, a portion of said bucket being adjustable in diameter by manipulation of said wall segments and retaining said adjusted diameter after a force causing said adjusted diameter is removed, and said shaft having a length sufficient to extend from the incus to the oval window, said shaft having a central portion and first and second end portions, said central portion having a diameter of approximately 0.3-mm, said first end portion having a diameter of approximately 0.4-mm to 0.8-mm, and said second end portion being coupled to said bucket; and
- b) a bail handle coupled to said bucket.

15. (original) A stapedial prosthesis according to claim 14, wherein:
said slots are approximately 0.1-mm wide.

Serial No.: 10/666,451
Examiner: David Isabella
Art Unit: 3738

16. (original) A stapedial prosthesis according to claim 15, wherein:

said slots define arcs about a circumference of the bucket which are substantially smaller than arcs traversed by the wall segments defined by the slots.

17. (original) A stapedial prosthesis according to claim 15, wherein:

said arcs defined by said slots are smaller than said arcs defined by said wall segments by a factor of at least four.

18. (original) A stapedial prosthesis according to claim 14, wherein:

said bucket has a closed bottom portion.

19. - 28. (canceled)

29. (previously presented) A method of implanting a stapedial prosthesis between the incus and oval window of the middle ear, comprising:

- a) providing a stapedial prosthesis including a bucket with a plurality of wall segments, a shaft fixed to the bucket, and a spring-loaded bail handle movably coupled to the bucket, the bail handle oriented so as to provide clear entry to the bucket;
- b) positioning a portion of the incus into the bucket;
- c) moving the bail handle until the bail handle contacts the incus; and
- d) bending one or more segments of the wall of the bucket to adjust a diameter of said bucket to the incus, said bucket retaining said adjusted diameter after said bending force is removed.

Serial No.: 10/666,451
Examiner: David Isabella
Art Unit: 3738

30. (canceled)

31. (previously presented) A method according to claim 29, wherein:

said bending includes bending one or more segments until at least one of the segments contacts the incus.

32. (previously presented) A method according to claim 29, wherein:

said bending occurs before said moving.

33. (previously presented) A method according to claim 29, wherein:

said bending occurs after said moving.

34. (original) A method according to claim 29, wherein:

said moving the bail handle includes rotating the bail handle.

35. (original) A method according to claim 34, wherein:

said moving the bail handle includes pulling the bail handle over a portion of the incus.

36. (original) A method according to claim 35, wherein:

said moving the bail handle includes causing the bail handle to pass through a plane containing both the bail handle and a longitudinal axis of the bucket and the shaft.

Serial No.: 10/666,451
Examiner: David Isabella
Art Unit: 3738

37. (original) A method according to claim 29, wherein:

said moving the bail handle includes biasing the incus relative to the bucket with the spring-loaded bail handle.

38. (original) A method according to claim 29, wherein:

after said moving, the bail handle is substantially fixed relative to the bucket via the spring-load on the bail handle.

39. (original) A method according to claim 29, wherein:

said providing includes providing a stapedial prosthesis with a titanium bail handle.

40. (canceled)

41. (previously presented) A stapedial prosthesis according to claim 14, wherein:

said shaft is stepped in diameter.

42. (canceled)

Serial No.: 10/666,451
Examiner: David Isabella
Art Unit: 3738

43. (previously presented) A stapedial prosthesis according to claim 14, wherein:

said shaft is made of a metal or metal alloy, and said first end portion defines
holes sized for tissue ingrowth.

44. (previously presented) A stapedial prosthesis according to claim 14, wherein:

said first end portion has a length not exceeding 1-mm.

45. (previously presented) A stapedial prosthesis according to claim 14, wherein:

said first end portion has a length greater than 0.3-mm.

46. (canceled)

47. (previously presented) A stapedial prosthesis according to claim 14, wherein:

said central portion has a length at least approximately 2.4 times a length of said
first end.

48. - 54. (canceled)